

**BOARD OF GAME AND INLAND FISHERIES MEETING MINUTES
4000 WEST BROAD STREET
RICHMOND, VIRGINIA 23230**

JUNE 5, 2007

Present: John Montgomery, Jr., Chairman, Sherry Smith Crumley, Vice-Chairman, C. Marshall Davison, C. T. Hill, Charles S. Yates, James W. Hazel, Dr. William T. Greer, Jr. and Thomas A. Stroup; **Absent:** Randy Kozuch, Richard Railey and Ward Burton; **Legal Counsel:** Roger Chaffe; **Director:** J. Carlton Courter, III; **Senior Staff:** Colonel Mike Bise, Raymond E. Davis, Bob Duncan, Charlie Sledd, David Whitehurst, Gary Martel.

Chairman Montgomery called the meeting to order at 9:00am. The Mission Statement was read into the record and the Law Enforcement Officers of the Year led the Pledge of Allegiance to the Flag. A quorum was present.

Public Comments, Non-Agenda Items: Chairman Montgomery provided an opportunity for members of the public to comment on non-agenda items. Speakers representing groups were requested to limit their remarks to five minutes. Individuals were requested to limit remarks to three minutes.

Ms. Laura Newell-Furniss, Hunters for the Hungry, Big Island, Virginia expressed their sincere appreciation to the Board and Agency for their support of the Hunters for the Hungry program. Their goal this season is to process and distribute 360,000 lbs. of meat and find additional funding for distribution to achieve this goal. Mr. Montgomery thanked her for her remarks.

Mr. C. W. Miller, Harcum Hunt Club, Gloucester, Virginia gave a presentation regarding hunting with dogs. The Harcum Hunt Club is a proponent of dog hunting. Mr. Montgomery thanked him for his remarks.

Mr. Robert Kane, President of Virginia Hunting Dog Owners Association spoke regarding the new law on Hunting Dog Collar Removal. Code of Virginia, Section 18.2-97.1 Removal of a dog collar; penalty.

Any person who removes from a dog an electronic or radio transmitting collar without the permission of the owner of the dog and with the intent to prevent or hinder the owner from locating the dog, is guilty of a Class 1 misdemeanor. Upon a finding of guilt, the court shall order that the defendant pay as restitution the actual value of any dog lost or killed as a result of such removal. The court may also order restitution to the owner for any lost breeding revenues.

Mr. Kane asked the Board to promote this new code section that will go into effect July 1, 2007. Mr. Montgomery thanked Mr. Kane for his remarks.

Recognition of Employees and Others: Mr. Courter recognized Mr. Ray Davis to introduce Dr. Virgil Kopf. Dr. Kopf introduced Ms. Kathy Graham. Ms. Graham was recognized her recent graduation from the National Conservation Leadership Institute. She completed an intense seven-month course to address one of the nation's most significant conservation challenges – preparing and retaining leaders. She has served in a variety of jobs in the conservation field for nearly 20 years. She was instrumental in the development of the Wildlife Action Plan for Virginia, which provides a strategic blueprint for wildlife management in the state over the next 10 years. Most recently, Kathy led the projects to allow agents to sell hunting and fishing licenses using an automated system and to allow citizens to check game online.

Colonel Bise recognized the following as Wildlife Regional Officers of the Year:

Master Officer Carl Martin, Region 4
Officer Kenneth Skinner, Region 1
Officer Greg Funkhauser, Region 2
Senior Officer Joe Valasek, Region 5

Master Officer Charlie Mullins was recognized as Wildlife Officer of the Year for the Department of Game and Inland Fisheries.

Col. Bise also announced the recent promotions:

Officer Charlie Mullins-Sergeant, District 31
Officer Jon Hart – Sergeant, District 25
Officer Robert Riggs – Hunter Education Specialist, Region 3

On behalf of the Board, Mr. Montgomery expressed sincere congratulations on their accomplishments.

Complementary Workforce (Citizen Volunteer Program): Ms. Alger presented an overview of the Complementary Workforce. This initiative will train P-14 Employees, volunteers and interns to help fulfill the mission of the agency in an efficient and economic manner. **Some of the benefits of the program are:** added manpower and outreach ability; increased focus on core mission in Law Enforcement and other Division; increased citizen support base; opportunities to learn about VDGIF; work with those with similar interests; new challenges/work experience. **Volunteer opportunities include:** permit inspections & issuance; trout stocking; wildlife damage inspections; exhibits, programs, presentations; waterway marker inspections; regional office assistance; dispatch; equipment repair and maintenance. **Program milestones:** Volunteer Coordinator was hired April, 2007, As of June, 2007, there are 26 potential volunteers. All applicants must be 18 years of age and pass a background investigation. July, 2007 Volunteer recruitment and enrollment for Regions 1 and 5; hiring Regional Coordinators; Roll out of program and begin of Web site content; and the future goal is to have an active statewide program. Mr. Hazel noted that he had spoken with Ms. Alger before the Board meeting he would be submitting his application to participate as a volunteer. For

more information, please contact Ms. Susan Alger, Volunteer Coordinator, Post Office Box 481, Herndon, Virginia 20172 or by email: susan.alger@dgif.virginia.gov Mr. Montgomery thanked her for her presentation and stated the Board is looking forward to the expansion of the program throughout the agency.

Approval of the Minutes: The minutes of the March 27, 2007 meeting have been posted to the Web, and copies were included in the Board member's briefing materials. Chairman Montgomery called for any additions, changes, corrections, deletions, modifications, etc. Mr. Hill noted he attended the meeting and his attendance was omitted. The minutes of the meeting will be corrected. **Ms. Crumley made the motion to approve the minutes as corrected; Seconded by Mr. Davison. Ayes: Greer, Montgomery, Crumley, Hill, Hazel, Yates, Stroup and Davison.**

Committee Reports: The Education, Planning and Outreach Committee reported that during their May 8, 2007 committee meeting Mr. Steve Gray, former Chief of Wildlife for the Ohio Department of Natural Resources gave a brief report on the Apprentice Hunter License Program in Ohio. Ohio's apprentice program is for three years and the price of their apprentice license program is the same as the license for those who completed the hunter education class. The apprentice hunter program allows persons interested in hunting to participate before completing the hunter education program as long as they are accompanied by a licensed hunter over 21 years of age. The states that have adopted this program have seen an increase licensed hunters. The staff is preparing a draft for a similar to the Ohio program for Virginia. Any changes in the current license requirements will need to go through the General Assembly.

Mr. Robin Clark, who is the volunteer coordinator for the NWTf Wheelin Sportsman's Program spoke to the committee and he recommend the Agency create a position such as a disabilities services coordinator who would coordinate activities of the physically challenged with other organizations and state agencies for outdoor activities and training.

Mr. Charlie Sledd provided an overview of the 2007 General Assembly items and the committee began to discuss possible legislation that needs to be addressed during the 2008 General Assembly.

The committee recommended to the Board to consider the following at the July meeting: ***Pursuant to Chapter 906 of the 2007 Virginia Acts of Assembly, the Board shall act in accordance with the policy of the Commonwealth that there shall be no net loss of those public lands managed by the Department that are available for hunting in Virginia.*** . This recommendation is to amend the Board Governance manual and bring the manual into compliance with the policy that becomes effective July 1, 2007.

During the August 21, 2006 Committee Meeting, the committee charter was approved. However, at the August 22, 2006 Board meeting the discussion focused on amending the Governance Manual pertaining to the requirements for new Board Member Orientation and the committee charter was not addressed by the Board for an official approval action. **Mr. Davison made the motion for the Board to adopt the Education, Planning and**

Outreach Committee Charter as written. Motion seconded by Mr. Hazel. Ayes: Greer, Davison, Crumley, Montgomery, Hill, Hazel, Stroup and Yates.

The next committee meeting will be set by the new Chairman of the committee.

Mr. Montgomery thanked the committee for their work. Mr. Montgomery stated that he and the Board fully supports the Apprentice Hunter and Volunteer Programs and looks forward to seeing and hearing the progress and success of these two programs in the future.

The Finance Audit and Compliance Committee met on May 8, 2007 and reported that Mr. John Allen had been hired as the new Internal Auditor.

They also received an extensive Media Relations report. This report reflected the following; The Web site receives approximately 5.5 million visits a year and continues to grow; The *Outdoor Report* has been launched and there are over 8,000 subscribers. During the third quarter, **10 press releases** were distributed to outdoor writers and mainstream news media. Ms. Gweneth Dean is the new Assistant Director, Wildlife Diversity, Information and Education Section.

During the July meeting the Committee will provide a report from the current APA Audit findings.

The current financial report and 2008 budget will be presented later in the program.

Mr. Montgomery thanked Mr. Hill for his report.

The Wildlife and Boat Committee will meet later during the regulatory period.

The Nominating Committee met on March 27, 2007 and submitted the following nominations for the 2007 Chairman and Vice Chairman of the Board of Game and Inland Fisheries. The nominations are: James W. Hazel, Chairman and Richard E. Railey, Jr., Vice Chairman.

Election of the 2007 Board of Game and Inland Fisheries Chairman and Vice-Chairman. The nominating committee recommended that Mr. James W. Hazel be elected to serve Chairman. There being no discussion on the nomination the Board voted unanimously to have Mr. Hazel serve as Chairman. **Ayes: Greer, Davison, Crumley, Montgomery, Hill Hazel, Stroup and Yates.** The nominating committee recommended that Mr. Richard Railey, Jr. be elected to serve as Vice Chairman. There being no discussion, the Board voted unanimously to have Mr. Railey serve as Vice-chairman. **Ayes: Greer, Davison, Crumley, Montgomery, Hill, Hazel, Stroup and Yates.**

Public Comments-Proposed Regulation Concepts. Chairman Montgomery provided an opportunity for members of the public to comment on non-agenda items. Speakers

representing groups were requested to limit their remarks to five minutes. Individuals were requested to limit remarks to three minutes.

Mr. Curtis Lytle spoke regarding landowner rights and protection of property and laws regarding deer hunting with dogs. Mr. Montgomery thanked him for his remarks.

Mr. Carroll Dickenson, Broadway, Virginia spoke on behalf of the Shenandoah Valley Sportsman's Alliance. He asked for the Board's support of the proposed regulation of deer management in the Shenandoah Valley Area. Mr. Montgomery thanked him for his remarks.

Mr. Thomas Christian, Amelia, Virginia, spoke against dog hunting. He stated the landowners were being mistreated. Mr. Montgomery thanked him for his remarks.

Mr. Robert Kane, Brightwood, Virginia spoke on behalf of the Virginia Dog Hunting Owner's Association regarding the proposed regulation concerning the use of tracking dogs to recover injured or wounded game. The Association supports this regulation concept. Mr. Montgomery thanked him for his remarks.

Ms. Rachael Pauley spoke regarding the 32" Catfish Regulation. She presented the Board with a petition containing 250 signatures from commercial and recreational waterman supporting the change or abolishment in the length limit of the blue catfish. The petition recommends changing the catch limit from 1 fish – 5 fish per day. Mr. Montgomery thanked her for her remarks and accepted the petition as presented into the records of the meeting.

Mr. Wayne Morgan spoke supporting the change of the regulation for the catch limit of 32" catfish. Mr. Montgomery thanked him for his remarks.

After public comments, the Board and staff conducted a lengthy discussion on the issue of property owners and hunting with dogs. The staff stated that a working group will be established to work on this issue. The Board and staff encouraged everyone to keep an open mind so a resolution to this issue can be presented to the Board in the future.

Presentation of DGIF 2008 Fiscal Year Budget (Operations and Capital Programs). The Director and staff presented the 2008 DGIF Fiscal Year Budget (Operations and Capital Programs) to the Board. The Finance, Audit and Compliance Committee made the recommendation to transfer \$4,771,660 from the Game Protection Fund to the Capital Improvement Fund. This money would be used for the estimated 5M needed for improvements at the Coursey hatchery. **After discussion by the Board of the transfer of money, C. T. Hill made the motion to direct staff to transfer from the Game Protection fund to the Capital Improvements Fund in the amount of \$4,771,660 prior to the end of Fiscal Year 2007. The motion was seconded by William T. Greer. Ayes: Greer, Davison, Crumley, Montgomery, Hill, Stroup and Yates. Mr. Hazel abstained.**

In addition to the transfer of the \$4,771,660 from the Game Protection Fund to the Capital Improvements Fund, Mr. Hill made the motion for the Board to approve the 2008 DGIF Fiscal Year Budget (Operations and Capital Programs) in the amount of \$49,169,500 equal to the existing legislative appropriations. This presentation included a \$12,500,000.00 in Capital Improvements for 2008. **Mr. C. T. Hill made the motion that the Board adopts the 2008 DGIF Fiscal Operating and Capitol Improvements budget as proposed by staff with the amendments agreed to by the Board. Motion seconded by Thomas Stroup. Ayes: Greer, Davison, Crumley, Mongtomery, Hill, Stroup and Yates; Mr. Hazel abstained.**

They also received an update on the potential capital improvements budget for 2008-2013 that totaled approximately \$80,000,000.00. Of the amount the bigger items included an estimated \$30,000,000.00 in dam safety federally mandated upgrades over that time frame; \$30,000,000.00 in hatchery upgrades as well as \$6,000,000 in infrastructure upgrades for the Richmond Offices and grounds. The balance of the funds consisted of projects needed or recommended for the time frame projected known to the Department at this time.

Chairman's Remarks: Due to early departures by several board members and a presentation included in the Director's Remarks later on the agenda, Mr. Montgomery did not make any further remarks.

Directors Remarks: Mr. J. Carlton Courter, III provided the following report: He attended the Rice Property Dedication on June 4th; traveled with the staff to the Pamunkey River to collect and harvest shad row; the Internal Auditor, John Allen has been hired; continues to meet monthly with the Secretary of Natural Resources; attended the SEFWA conference in Atlanta Georgia. The Quail focus group has completed its first meeting and one of the critical areas identified was habitat. The next meeting will be held in August. Former Governor Linwood Holton serves as the facilitator for this group. Mr. Courter attended the NWTF Richmond Chapter dinner; visited Madison County and met with Trout Unlimited to discuss the expanded youth opportunity events for 2008. He also met with the Region 3 Law Enforcement officers; attended the ARMICS meeting.

Mr. Courter asked Mr. David Whitehurst to present the Communication and Outreach Plan. Mr. Whitehurst introduced Ms. Gweneth Dean, the new Assistant Director for Information and Education. She was the director of sales and marketing for the Vermont Lottery.

The Communication and Outreach Plan goals are: Increase awareness of what we (DGIF) do; Increase license sales; Promote safety. The Communication and Outreach Plan included the accomplishments of 2007. Some of the accomplishment were the: development and implement of *Outdoor Report*; the development and implementation of the Fishing Report; researching the cost and feasibility of the streaming video and still photography tours; began the process for advertising in DGIF Regulations; host for the 2007 OWAA Conference; major articles in statewide newspapers; initiated and developed two 30 minute TV talk show programs and the development of media

relationships by using Regional Lieutenant for additional media personnel. In order to meet the future goals of the plan additional funding will be needed for media relations, marketing, publications, possible additional staffing as programs continue to expand and increased educational programs.

Mr. Montgomery thanked the Director and staff for their presentation.

At 1:13, William T. Greer made the following motion on behalf of the Board: I move that the Board go into a closed meeting pursuant to Section 2.2-3711.A.1 of the Code of Virginia for discussion or consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees or employees of the Department of Game and Inland Fisheries specifically regarding the Director's performance. Motion seconded by James W. Hazel. Ayes: Greer, Davison, Crumley, Montgomery, Hill, Hazel, Stroup and Yates.

At 2:14 Ms. Sherry Crumley made the following certification on behalf of the board:

WHEREAS, the Board of Game and Inland Fisheries has convened a closed session meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712.D of the Code requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Game and Inland Fisheries hereby certifies that, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and only such public business matters were identified in the motion convening the closed meeting were heard, discussed or considered by the Board. Motion to adopt the certification was made by Marshall Davison and seconded by Charles Yates. Ayes: Greer, Davison, Crumley, Montgomery, Hill, Hazel, Stroup and Yates.

Additional Comments: Mr. Hazel reminded everyone of the Master National Hunt trials will be October 14-October 21, 2007. ESPN will provide news coverage this event.

The next meeting will be held on July 17, 2007 at 9:00 am.

There being no further business, Mr. Greer made the motion to adjourned and was seconded by Mr. Hazel. Ayes: Greer, Davison, Crumley, Montgomery, Hill, Hazel, Stroup and Yates.

Respectfully submitted,

Beth B. Drewery
Board Secretary